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*Attorney for Claimant WCC Properties*

**ALTFELD & BATTAILE P.C.**  
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20 North Meyer Avenue  
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*Pro hac Attorneys for Claimant WCC Properties*

**THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

IN RE CIRCUIT CITY STORES, INC.	)	No. 08-35653 (KRH)
	)	Chapter 11
DEBTOR	)	Jointly Administered
	)	
	)	

**WCC PROPERTIES' AMENDED REQUEST FOR ADMINISTRATIVE EXPENSE**

Claimant WCC Properties LLC (WCC), by counsel, hereby files its Amended Request for Administrative Expense, and respectfully shows the Court as follows:

1. **Name and Address of Creditor:** WCC Properties LLC c/o ADI Properties,  
2750 Womble Rd., San Diego, CA 92106.
2. **Property Information:** Las Palmillas Shopping Center, Yuma, AZ 85365.
3. **Debtor:** Circuit City Stores West Coast, Inc.
4. **Total Amount of Administrative Claim:** \$49,581.72
5. **Summary of Administrative Claim (See Exhibits A-1 through A-5, attached):**

A. Post-Petition Rent:

<u>Month</u>	<u>Administrative Period</u>	<u>Days</u>	<u>Amount</u>
November 2008:	11/10/08 - 11/30/08	21	\$16,235.99
December 2008:			
January 2009			
February, 2009	02/16/09 – 02/23/09	8	<u>\$6,851.14</u>
Total:			\$22,421.13

B. Post-Petition CAM, insurance, sales tax, utilities, Arizona state taxes (pro-rated), Arizona Transaction Privilege Tax (TPT) 2008-2009 (pro-rated), City of Yuma Improvement Bond ("Bond Dist 68") 2008-2009 (pro-rated), Second installment property taxes 2008, First installment property taxes 2009 (pro-rated) and sales tax on triple net (NNN) charges:

November, 2008	11/10/08 – 11/31/08	21	\$1,949.78
December, 2008	11/10/08 – 12/31/08	52	\$7,699.38
January, 2009	01/01/09 – 02/23/09	54	\$7,984.40
February, 2009	02/13/09 – 02/23/09	8	<u>\$714.77</u>
Total:			\$18,348.33

C. Additional Costs pursuant to the Lease:

Removal of Circuit City Building signs:	\$5,800.31
Remove debris, carpet cleaning, remove electrical chase form, relocate hanging electrical wiring to top baskets:	\$2,700.00
Rekey locks	<u>\$311.95</u>
Total:	\$8,812.26
Grand Total:	\$49,581.72

**6. Pursuant to this Court's Notice of Deadline:**

- a. This claim is in writing.
- b. The claims are denominated in lawful United States currency.
- c. The Debtor against which the entity asserts the administrative expense is  
Circuit City Stores West Coast, Inc.
- d. The legal and factual bases for the administrative expenses are set forth  
above.
- e. The lease between claimant and Debtor is attached hereto as **Exhibit B**.
- f. Supporting documentation is attached.

**WHEREFORE**, WCC Properties respectfully requests the Court that its Amended  
Administrative Claim be allowed in full, and for such other and further relief as may be just and  
proper.

Respectfully submitted this 20<sup>th</sup> day of April 2012.

\s\ Douglas Scott  
Douglas Scott (VSB 28211)  
DOUGLAS A. SCOTT, PLC  
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Richmond, Virginia 23230  
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*Pro Hac Attorneys for Claimant WCC Properties*

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that on this day a true and correct copy of the foregoing was transmitted via the Court's ECF facility to counsel whose names appear below:

Lynn L. Tavenner, Esq.  
Paula S. Beran, Esq.  
TAVENNER & BERAN, PLC  
20 N. Eighth St., 2<sup>nd</sup> Floor  
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PACHULSKI STANG ZIEHL & JONES LLP  
780 Third Avenue, 36<sup>th</sup> Floor  
New York, NY 10017

\s\ Douglas Scott

## **EXHIBIT A-1**

Circuit City #3748  
Las Palmas Shopping Center - Yuma, AZ  
Bankruptcy Claim

Bankruptcy filing date: 11/10/2008

Lease Rejection Date: 2/23/09

Per attorney, prorate amount due including filing date

Unsecured: Amount protected by filing prior to 11/10/2008 or after rejection date 2/23/09

Administrative: Amount due from Circuit City between filing date 11/10/08 and rejection date 2/23/09

Revised As of  
4/19/2012

Date Outstanding Charge	x	Charge Period	Total Days	Unsecured Days	Admin Days	Total Amount	Unsecured Amount	Admin Amount
11/1/2008 Rent (11/08)	x	11/1-11/30/08	30	0	21	23,184.27	8,958.20	10,235.08
11/1/2008 Estimated CAM (11/08)	x	11/1-11/30/08	30	0	21	1,527.00	458.10	1,068.90
11/1/2008 Insurance (11/08)	x	11/1-11/30/08	30	0	21	361.00	108.30	252.70
11/1/2008 Utility (11/08)	x	11/1-11/30/08	30	0	21	471.00	141.30	329.70
11/1/2008 Actual Rent AZ-TPT (11/08)	x	11/1-11/30/08	30	0	21	304.30	118.29	278.01
11/1/2008 Est NNN AZ-TPT (11/08)	x	11/1-11/30/08	30	0	21	32.10	9.63	22.47
<b>Total</b>						<b>\$ 25,979.07</b>	<b>\$ 7,793.80</b>	<b>\$ 18,185.27</b>
10/21/2008 1st Install - 2008 Property Taxes	x	1/1-6/30/08	182	182	0	21,768.45	21,768.45	-
10/21/2008 Actual PTAX AZ-TPT	x	1/1-6/30/08	182	182	0	370.08	370.08	-
12/22/2008 2nd Install 2008 Bond Dist 6B (Int only)	x	7/1-12/31/08	184	132	52	2,265.89	1,625.39	640.50
Actual Bond AZ-TPT		7/1-12/31/08	184	132	52	38.52	27.63	10.89
12/22/2008 2008 Bond Dist 6B (Principal)	x	1/1-12/31/08	368	314	52	5,510.79	4,732.98	783.81
Actual Bond AZ-TPT		1/1-12/31/08	368	314	52	55.27	47.42	7.85
2nd Install - 2008 Property Taxes		7/1-12/31/08	184	132	52	21,768.45	15,818.50	6,151.95
Actual PTAX AZ-TPT		7/1-12/31/08	184	132	52	370.08	265.48	104.60
1st Install - 2009 Property Taxes		1/1-6/30/09	181	127	54	20,935.15	14,080.30	6,245.85
Actual PTAX AZ-TPT		1/1-6/30/09	181	127	54	355.90	249.72	106.18
1st Install 2009 Bond Dist 6B (Int only)		1/1-6/30/09	181	127	54	2,297.45	1,612.02	685.43
Actual Bond AZ-TPT		1/1-6/30/09	181	127	54	30.06	27.41	11.65
2009 Bond Dist 6B (Principal)		1/1-12/31/09	365	311	54	6,218.20	5,296.54	919.66
Actual Bond AZ-TPT		1/1-12/31/09	365	311	54	105.08	90.05	15.03
<b>Total</b>						<b>\$ 82,102.73</b>	<b>\$ 68,418.95</b>	<b>\$ 15,683.78</b>
2/1/2009 Base Rent (2/16-2/23/09)	x	2/16-2/23/09	8	0	8	6,185.14	-	6,185.14
2/1/2009 Estimated CAM (2/16-2/23/09)	x	2/16-2/23/09	8	0	8	393.33	-	393.33
2/1/2009 Insurance (2/16-2/23/09)	x	2/16-2/23/09	8	0	8	94.67	-	94.67
2/1/2009 Utility (2/16-2/23/09)	x	2/16-2/23/09	8	0	8	113.33	-	113.33
2/1/2009 Actual Rent AZ-TPT (2/16-2/23/09)	x	2/16-2/23/09	8	0	8	105.15	-	105.15
2/1/2009 Est NNN AZ-TPT (2/16-2/23/09)	x	2/16-2/23/09	8	0	8	8.29	-	8.29
<b>Total</b>						<b>\$ 6,899.91</b>	<b>\$ -</b>	<b>\$ 6,899.91</b>
<b>Overall Total</b>						<b>\$ 114,982.31</b>	<b>\$ 74,212.85</b>	<b>\$ 40,769.46</b>

(1) Per Maya Kashak's instructions in email dated 3/2/2012, Property Taxes and Bond should only be included in Admin claim for accrued period between 11/10/08-2/23/09.

(2) Tenant moved out 2/15/09 and paid rent & NNN in full up to 2/15/09. However, per Cliff Alteld, rent and NNN are due up to the Lease Rejection Date of 2/23/09.

x Posted to Tenant Ledger (date posted listed)

Note: Charges for dates missing from this spreadsheet have been posted and paid in full by the tenant

## **EXHIBIT A-2**

Since 1946

**PENN**

**NEON SIGN CO., INC.**

**DESIGNERS & MANUFACTURERS OF QUALITY SIGNS**

## PROPOSAL & CONTRACT

Proposal Date: 2/25/09  
Proposal No.: 3342  
Account No.: 1468

707 West 8th Street Yuma, Arizona 85364 • (928) 782-2501 • Fax: (928) 343-4076 • E-Mail: sales@pennsigns.com

SUBMITTED TO: ADI PROPERTIES (RIO VISTA COMMER JOB NAME: CIRCUIT CITY SIGN REMOVAL  
CONTACT: GEORGE CODLING  
ADDRESS: 1600 UNION STREET JOB LOCATION: CIRCUIT CITY  
4TH FLOOR YUMA, AZ  
SAN DIEGO, CA 92101

PHONE / EXT: (619)990-8510  
CELL NO.: (619) -  
FAX NO: (619)231-8389  
E-MAIL: ghc@adlproperties.com  
SITE CONTACT:

**WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR:**

Product Code  
Custom Project  
Description

Price @ Total:  
\$ 5,500.00 \$5,500.00

REMOVE AND DISPOSE OF THREE (3) EXISTING 12' DIA. LOGO SIGNS & ONE (1) CAR INSTALL SIGN.  
PATCH & PAINT (INCLUDES DISASSEMBLY OF SIGNS ON SITE FOR TRANSPORT REMOVAL).  
CAP ALL ELECTRICAL.  
REMOVE & DISPOSE OF TWO (2) EXISTING PYLON SIGN FACES @ 50' & REPLACE WITH NEW WHITE  
LEXAN BLANK FACES.

### Notes:

TERMS 50% DOWN AND BALANCE DUE UPON INSTALLATION  
ELECTRICAL TO SIGN LOCATION BY OTHERS  
PERMITS AT COST (not included in prices)  
PRICE IS CONTINGENT UPON UNDERGROUND OBSTRUCTIONS AND OVERHEAD  
ACCESS

SUB TOTAL: \$5,500.00  
SALES TAX: \$300.31  
SHIPPING: \$0.00  
TOTAL: \$5,800.31

**ACCEPTANCE OF PROPOSAL** The above prices, specifications  
and conditions are satisfactory and are hereby accepted. You are authorized  
to do the work as specified. Payment will be made as outlined above.

**SALES ASSOCIAT** Ron Contreras

Authorized Signature

Signature

Date





## **EXHIBIT A-3**

**Kevin M. Kehl**

DATE #####

2407 South Kathleen Avenue  
Yuma, Arizona 85365  
Office/Fax (928) 341-9247  
ROC139263

Invoice No. 22509

## INVOICE

### Customer Information

Name	ADI Properties
Address	1660 Union Street, 4th Floor
	San Diego, CA 92101
Phone	(619) 990-8510
	ATTENTION: George Codling

### Property Information

Name	Circuit City
Address	Las Palmillas Shopping Center
	Yuma, AZ 85365
Phone	

Qty.	Description	Unit Price	Total
1	<p style="text-align: center;"><b>SCOPE OF WORK</b></p> <p>Remove and Haul Off Debris From Building Vacuum Carpets Mop Floors Clean Bathrooms Remove 5 each Electrical Chase Form Main Floor Relocate all Hanging Elecrtrial Wiring To Top Baskets</p> <p>Note Price Includes Cost For Tho Following As Required: 1. Dumpster Rentals 2. Dump Fees 3. Equipmont Rental Fees</p>	2,700.00	2,700.00

Sub Total	\$2,700.00
Tax	N/A
<b>TOTAL</b>	<b>\$2,700.00</b>

MAKE CHECKS PAYABLE TO:

Kevin Kehl  
2407 South Kathleen Avenue  
Yuma, AZ 85365

## **EXHIBIT A-4**

**Kevin M. Kehl**

DATE 24-Feb-09

2407 South Kathleen Avenue  
Yuma, Arizona 85365  
Office/Fax (928) 341-9247  
ROC139263

Invoice No. 22409

## INVOICE

### Customer Information

Name	ADI Properties
Address	1660 Union Street, 4th Floor
	San Diego, CA 92101
Phone	(619) 090-8510
	ATTENTION: George Codling

### Property Information

Name	Circuit City
Address	Las Palmillas Shopping Center
	Yuma, AZ 85365
Phone	

Qty.	Description	Unit Price	Total
<b>LABOR</b>			
1	Basic Service Call	\$65.00	\$65.00
2	Remove and Reinstall 2 each Entry Lock Cylinders	\$25.00	\$50.00
2	Reprogram 2 each Combination Key pad Locks	\$25.00	\$50.00
1	Removed Pad Lock On Over Head Door	\$12.50	\$12.50
1	Remove Pad Lock On Roof Latch Hatch	\$12.50	\$12.50
	<b>Labor Total</b>		<b>190.00</b>
<b>MATERIAL</b>			
5	Cut 5 Each New Entry Lock Keys	3.50	\$17.50
5	Cut 5 Each New Interior Lock Keys	3.50	\$17.50
2	2 Each New Mortise Cylinder Key-Ways	22.50	\$45.00
1	ABUS Pad Lock On Over Head Door and Keyed To Entrance Locks	32.50	\$32.50
	<b>Material Total</b>		<b>112.50</b>

MAKE CHECKS PAYABLE TO:

Kevin Kehl  
2407 South Kathleen Avenue  
Yuma, AZ 85365

Labor	\$190.00
Material	\$112.50
Sub Total	\$302.50
Tax	\$9.45
<b>TOTAL</b>	<b>\$311.95</b>

## **EXHIBIT A-5**

2009-02-20 16:53

804-486-8248 >> 6192318389

P 1/2

**FAX**

**Circuit City Stores, Inc.**  
9950 Mayland Drive  
Richmond, VA 23233-1464



fax

Date February 20, 2009

Number of pages including cover sheet 2

To:

Landlord

Phone

Fax Phone (619)231-8389

CC:

From:

Property Management  
department

Phone

Fax Phone

E-mail:

**REMARKS:**

☐ Urgent ☐ For your review ☐ Reply ASAP ☐ Please comment

RE: Circuit City store #03748 - Yuma, AZ

Please find attached a REVISED letter to replace a letter included in a FedEx package your office should have received today. Thank you.

2009-02-20 16:53

804-486-8248 >> 6192318389

P 2/2



Circuit City Stores, Inc.  
9950 Mayland Drive  
Richmond, VA 23233-1464

February 17, 2009

Re: Store # 03748  
1232 SOUTH CASTLE DOME AVENUE  
LAS PALMILLAS SHOPPING CENTER  
YUMA, AZ 85365

Dear Landlord:

The property referenced above was included in a Rejection Motion made with the United States Bankruptcy Court, a copy of which you were previously provided. Enclosed please find a key or keys to the entrance to the store.

Accordingly, effective Monday, February 23, 2009, we will be turning off and discontinuing any and all services in our name for this property. This will include all utilities (see attached for list, if no attachment there are no utilities in our name), phone, alarm monitoring, etc. In addition, we will no longer include this property in our insurance coverage.

As a result of the foregoing, no alarm codes are being provided as the system will be disarmed.

The service for burglar alarm monitoring was being provided by Vector. If you wish to establish a new account with Vector, please contact Tracie Cline 704-938-5725. The service for fire alarm monitoring was being provided by ADT. To establish a new account with ADT, please contact 800-238-7887 OPTION 3. If you are interested in obtaining information with regard to the building automation system, please contact Tim Zimmerman of NOVAR at 800-348-1236.

Very truly yours,

CIRCUIT CITY STORES, INC.  
PROPERTY MANAGEMENT DEPT.



Shipment Receipt

**Address Information**

<b>Ship to:</b> Claims Processing Circuit City Stores, Inc. 2335 ALASKA AVE KURTZMAN CARSON CONSULTANTS, LLC EL SEGUNDO, CA 90245-4808 US 866-381-9100	<b>Ship from:</b> Douglas Scott  1805 Monument Ave. Suite 311  Richmond, VA 23220 US 8042579860
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**Shipping Information**

Tracking number: 793477687419  
Ship date: 04/20/2012  
Estimated shipping charges: 17.67

**Package Information**

Service type: FedEx Express Saver  
Package type: FedEx Envelope  
Number of packages: 1  
Total weight: 11.85  
Declared value: 100.00USD  
Special Services:  
Pickup/Drop-off: Drop off package at FedEx location

**Billing Information**

Bill transportation to: MyAccount-908  
Your reference:  
P.O. no.:  
Invoice no.:  
Department no.:

Thank you for shipping online with FedEx ShipManager at [fedex.com](http://fedex.com).

**Please Note**

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including insurable value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details. The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) of the FedEx Rate Sheets for details on how shipping charges are calculated.